

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/FLN)

This Document Relates To:
All Actions

**DECLARATION OF MONICA L.
DAVIES IN SUPPORT OF
DEFENDANTS' MOTION TO
TAKE DISCOVERY
CONCERNING NEW AUGUSTINE
ARTICLE RELIED UPON BY
PLAINTIFFS AND THEIR
EXPERTS**

Monica L. Davies, being first duly sworn, deposes and declares:

1. I am one of the attorneys representing Defendants in connection with the above-referenced matter. I make this declaration in support of Defendants' Motion to Take Discovery Concerning New Augustine Article Relied Upon by Plaintiffs and Their Experts.

2. Attached hereto as Exhibit 1 is a copy of Scott D. Augustine, *Forced-air warming discontinued: periprosthetic joint infection rates drop*, Orthopedic Reviews 2017; vol. 9:6998, 39 (2017).

3. Attached hereto as Exhibit 2 is a copy of certain portions of the deposition of Jonathan Samet, M.D.

4. Attached hereto as Exhibit 3 is a copy of certain portions of a rough draft of the transcript of Jonathan Borak.

5. Attached hereto as Exhibit 4 is a copy of certain portions of a rough draft of the transcript of Theodore R. Holford.

6. Attached hereto as Exhibit 5 is a copy of a document produced to Defendants by Ridgeview Medical Center, identified as RMC000102-05.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 24th day of July, 2017.

s/ Monica L. Davies
Monica L. Davies (MN #0315023)
BLACKWELL BURKE P.A.
431 South Seventh Street
Suite 2500
Minneapolis, MN 55415
Phone: (612) 343-3248
Fax: (612) 343-3205
Email: mdavies@blackwellburke.com